

HOUSE No. 4697

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Stat Smith

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Authorizing the City of Everett to Create an Inspectional Services Department in the City of Everett.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen Stat Smith	28th Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act Authorizing the City of Everett to Create an Inspectional Services Department in the City of Everett.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

(a) There is hereby established under the provisions of chapter 43B § 13 of the Massachusetts General Laws in the City of Everett a Department of Inspectional Services, which shall be responsible for the coordination and management of the inspection related activities of the city assigned by this act. Said department of inspectional services shall be responsible for and shall perform the following functions:

(1) Coordination of all inspection functions carried out by any officer or employee who falls within the scope of this ordinance;

(2) Maintenance in a central place of all records relating to inspections;

(3) Coordination of enforcement actions for violations of any provision of the General Laws, state building code, city ordinances, including but not limited to Chapter 13A, rules or regulations which are subject to enforcement by any officer or employee of the city. The Department of Inspectional Services shall be available to consumers in order to assist them in implementing the intent of this act;

(4) The rendering of advice, assistance and guidance to all city offices and agencies in any matter relating to city inspection services; and

(5) The rendering of advice, assistance and guidance to all members of the public relating to city inspection services and the development of user friendly systems for the convenience of the public. All inspections performed by or under the authority of the building inspector, board of health, inspector of gas

18 piping and gas appliances, plumbing inspector, zoning enforcement officer and every other local
19 inspection as may be authorized shall be coordinated through the Department of Inspectional Services.

20 (b) The Department of Inspectional Services shall be headed by a director of inspectional services.
21 The director of inspectional services shall have the following specific powers and duties:

22 (1) To establish a full and complete inventory of all inspection services performed by any officer of the
23 city that falls within the scope of this ordinance;

24 (2) To establish common files, by property address, which will be accessible to all persons performing
25 inspection services for the city, containing recordings of all inspections performed by any city officer or
26 employee; and

27 (3) To provide common services for all inspection related personnel and centralized location for
28 consumers of city inspection services; the chief of inspectional services shall also be available to said
29 consumers in order to assist them in implementing the intent of this act.

30 (c) The director of inspectional services shall assure quality control by:

31 (1) Expediting the issuance or denial of all permits;

32 (2) Establishing a service manual within 90 days of appointment; and

33 (3) Performing such other duties and responsibilities as may be established by city ordinance.

34 (d) The Department of Inspectional Services shall consist of the following divisions:

35 (1) The division of building inspection and maintenance, which shall be responsible for the enforcement
36 of the provisions of the state building code pertaining to buildings and other structures and for
37 enforcement of related ordinances in the Revised Ordinances of the City of Everett, including, but not
38 limited to the Zoning Ordinance;

39 (2) The division of plumbing, which shall be responsible for the enforcement of all provisions of the state
40 building code applicable to plumbing and for enforcement of related ordinances in the Revised
41 Ordinances of the City of Everett;

42 (3) The division of gas fittings and gas appliances, which shall be responsible for the enforcement of all
43 provisions of the state building code applicable to gas fittings and gas appliances and for enforcement of
44 related ordinances in the Revised Ordinances of the City of Everett;

45 (4) The division of electrical inspections and maintenance, which shall be responsible for the enforcement
46 of all the provisions of the state building code applicable to electrical wires and electrical fixtures and

shall be responsible for the ordinary maintenance of electrical wires and fixtures in city buildings and other structures including all city recreational facilities and for the operation and maintenance of the electrical components of the traffic regulatory signals and devices and fire alarm signals and devices and for enforcement of related ordinances in the Revised Ordinances of the City of Everett;

(5) The division of health and sanitation, which shall be responsible for enforcement of all provisions of the state sanitary code promulgated by the department of public health of the commonwealth which are subject to enforcement by cities and towns and to adopt from time to time additional regulations as are necessary or desirable to protect the public health of the citizens of Everett and to enforce all regulations so promulgated.

(6) The division of code enforcement, which shall be responsible for enforcement of all provisions of the City of Everett Revised Ordinances Chapter 13A

(7) The following multiple member bodies shall, for administrative and communication purposes only, be considered to be within the department of inspectional services:

(i) Board of Appeals

Nothing in this act shall be construed as giving the director of inspectional services authority to direct the activities of any of these multiple member bodies when they are exercising their official duties.

SECTION 2. The provisions of this act shall not affect the civil service status of any of the positions within the divisions of the Department of Inspectional Services.

SECTION 3. The Mayor of the City of Everett shall appoint a director of inspectional services who shall be the executive and administrative head of the department subject to Board of Alderman confirmation. The term of office shall be for three years without any tenure and shall not be extended, without reappointment, beyond said three-year term. Such director shall possess all the necessary qualifications, experience and certification required for an inspector of buildings or building commissioner under the provisions of chapter 143 of the General Laws. SECTION 4. The Mayor of the City of Everett may remove the director of the Department of Inspectional Services from office before the term of appointment has expired.

SECTION 5. The appointment of a chief of inspectional services shall satisfy the requirement of chapter 143 of the General Laws as to the appointment of an inspector of buildings or building commissioner.

SECTION 6. Any agency performing an inspection function outside of the scope of this ordinance shall be continued.

77 SECTION 7. All books, papers, documents, equipment, land and any other property, which is in the
78 custody and control of any agency or department affected by this consolidation shall be transferred by the
79 former department to the Inspectional Services Department. All contracts in force shall be continued in
80 force by the Department of Inspectional Services until they expire or are otherwise cancelled. Any
81 judicial proceedings in which any department affected by this consolidation is a party, shall not be
82 affected by the consolidation, but the Inspectional Services Department shall stand in the place of this
83 former department.

84 SECTION 8. This act shall take effect upon its passage.